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CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY:JMW SCANNED BY: OLW /10-24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIRBY PERRAULT,

Defendant.

FELONY INFORMATION

The United States Attorney charges:

Health Care Fraud

From in or around January 2016 through in or around December 2019, in the Western District of Michigan, and elsewhere, the defendant,

KIRBY PERRAULT,

in connection with the delivery of and payment for health care benefits, items, and services, knowingly and willfully executed a scheme and artifice to defraud a health care benefit program; and obtained by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, a health care benefit program.

At all times relevant to the Information, the defendant was the proprietor of Okemos Family Chiropractic (“OFC”), a chiropractic clinic in the Western District of Michigan. Insurers Blue Cross Blue Shield of Michigan (“BCBSM”), McLaren Health Care (“McLaren”), Physicians Health Plan (“PHP”), and Cigna Healthcare (“Cigna”) were health care benefit programs servicing customers in the Western

District of Michigan, including patients of OFC. The insurers reimbursed OFC for covered health care services, based on bills submitted by OFC.

Between 2016 and 2019, the defendant caused OFC to submit bills to the insurers for reimbursement, which he knew contained materially false representations. In some instances, OFC billed them for health care services it had not actually rendered to patients. In others, OFC falsely represented that it rendered health care services in accordance with the insurers' rules for reimbursement, including false claims that the treatments were supervised by a chiropractor or met minimum duration requirements. As a result, the insurers paid OFC approximately \$231,187.99 to which it was not entitled.

18 U.S.C. § 1347

FORFEITURE ALLEGATION
(Health Care Fraud)

The allegations contained in this indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 982(a)(7).

Pursuant to 18 U.S.C. § 982(a)(7), upon conviction of the offense in violation of 18 U.S.C. § 1347 set forth herein, the defendant,

KIRBY PERRAULT,

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense. The property to be forfeited includes, but is not limited to, the following:

1. MONEY JUDGMENT: A sum of money equal to at least \$231,187.99, which represents the gross proceeds traceable to the offense,
2. SUBSTITUTE ASSETS: If any of the property described above, as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property

pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1).

18 U.S.C. § 982(a)(7)

21 U.S.C. § 853(p)

18 U.S.C. § 982(b)(1)

18 U.S.C. § 1347

MARK A. TOTTEN
United States Attorney



NILS R. KESSLER
Assistant United States Attorney

Date: October 24, 2024